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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/453,800	12/03/1999	ANDREW WATSON	CIT101125	3066

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 05/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753800

Applicant(s)

Watson

Examiner

Akers, g

Group Art Unit

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—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 4/23/02
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-21 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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DETAILED ACTION

Response to Amendment

1. This correspondence is in reply to Applicant's Amendment A filed 4/23/02.
2. Applicant amended claim 14. No claims were deleted. None were added.
3. Claims 1-21 are pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-7, 18-19 are rejected under 35 USC 102(e) as anticipated by DeFrancesco (US Pat. No: 5,878,403). The rejections as cited in the First Office Action are maintained.
6. As per claims 1 and 18 DeFrancesco teaches a method of offering account based services comprising providing a baseline offer for a first account based service (Abstract) and receiving a first preference indicator signal (Fig 1B/152/150/149/148) adjusting the baseline offer so as to form a first modified offer based upon the first preference indicator signal (Fig 1B/153) and adjusting the first account based service so as to form a second account based service based upon the first preference indicator signal (Fig 2A/227/224) and providing the first modified offer for the second account based service (Fig 2A) (col 10 line 32-col 11 line 56) (col 14 lines 4-14).

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7. As per claims 2 and 19 DeFrancesco teaches the method of claim 1 further comprising: receiving a second preference indicator signal(Fig 1B/153) and adjusting the first modified offer so as to form a second modified offer based upon the second preference indicator signal(Fig 1C/170) and adjusting the second account based service-so as to form a third account based service based upon the second preference indicator signal and providing the second modified offer for the third account based service(Fig 2B/234B/238/236/237).

8. As per claim 3 DeFrancesco teaches the method of claim 1 further comprising providing a list of available preference indicator choices along with providing the baseline offer(col 22 lines 39-41)(col 23 lines 48-50)(col 24 lines 1-5).

9. As per claim 4 DeFrancesco teaches the method of claim 1 further comprising providing a list of available preference indicator choices along with providing the first modified offer(col 24 lines 1-5)(Fig 1B/154).

10. As per claim 5 DeFrancesco teaches the method of claim 3 further comprising: selecting the list of available preference indicator choices from a universe of possible preference indicators(col 24 lines 40-45).

11. As per claim 6 DeFrancesco teaches the method of claim 3 further comprising receiving personal information and determining a qualification based on the personal information(col 20 lines 46-51).

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12. As per claim 7 DeFrancesco teaches the method of claim 6 further comprising using the qualification to select the list of available preference indicator choices from the universe of all possible preference indicator choices(col 10 lines 41-44).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 11-12 are rejected under 35 USC 103(a) as unpatentable over DeFrancesco(US Pat. No:5,878,403) and further in view of Keen(US Pat. No: 5,774,882).

15. As per claim 11 DeFrancesco teaches according to the method of claim 1. DeFrancesco fails to teach wherein the first and second account based services relate to a credit card account. Keen teaches the method of claim 1 wherein the first and second account based services relate to a credit card account(Abstract)(col 3 lines 1-col 4 line 16).It would have been obvious to one skilled in the art at the time of the invention to combine DeFrancesco in view of Keen to teach the above. The motivation to combine is to teach a method of issuing credit cards with integrity as enunciated by Keen(col 2 lines 6-11).

16. As per claim 12 DeFrancesco teaches according to the method of claim 1. DeFrancesco fails to teach wherein the first and second account based services relate to a credit card account. Keen teaches the method of claim 1 wherein the first and second account based services relate to

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a credit card account(col 3 line 1-col 4 line 16). It would have been obvious to one skilled in the art at the time of the invention to combine DeFrancesco in view of Keen to teach the above and further to apply these methods to insurance applications. The motivation to combine is to teach a method of issuing accounts with integrity as enunciated by Keen(col 2 lines 6-11).

17. Claims 10, 14-17 are rejected under 35 USC 103(a) as unpatentable over DeFrancesco(US Pat. No: 5,878,403) and further in view of Buchanan(US Pat. No: 5,950,179).

18. As per claim 10 DeFrancesco teaches according to claim 6. DeFrancesco fails to teach the method of claim 6 wherein the qualification is a credit line. Buchanan teaches the method of claim 6 wherein the qualification is a credit line(Abstract)(col 1 lines 5-8).It would have been obvious to one skilled in the art at the time of the invention to combine DeFrancesco in view of Buchanan to teach the above. The motivation to combine is to teach a method of issuing a type of credit card as enunciated by Buchanan(col 1 lines 5-8).

19. As per claim 14 DeFrancesco fails to teach a computer system comprising a first computer wherein the computer comprises a firewall module for determining security parameters and an applicant module for collecting data and a checker module for determining worthiness parameters and an account services building module for receiving preference indicators indicative of features associated with an account based service. Buchanan teaches a computer system comprising a first computer wherein the first computer comprises a firewall module for determining security parameters; an applicant module for collecting data(Fig

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2/44/40) and a checker module for determining worthiness parameters(Fig 2/92) and an account services building module for receiving preference indicator signals indicative of features associated with an account based service(Fig 2/84).It would have been obvious to one skilled in the art at the time of the invention to combine DeFrancesco in view of Buchanan to teach the above. The motivation to combine is to teach a method of issuing accounts with integrity as enunciated by Buchanan(col 1 lines 5-8).

20. As per claim 15 DeFrancesco teaches the computer system of claim 14 further comprising a network coupled to the first computer(Fig 1A/112a/113a/130/133a/133b/133c104/102/103).

21. As per claim 16 DeFrancesco teaches the computer system of claim 15 further comprising a second computer coupled to the network(Fig 1A/112b113b124a/122a/123a).

22. As per claim 17 DeFrancesco teaches the computer system of claim 15 wherein the network includes the World Wide Web(col 17 line 64-col 18 line 3).

23. Claim 13 is rejected under 35 USC 103(a) as unpatentable over DeFrancesco(US Pat. No: 5,878,403).

24. As per claim 13 DeFrancesco teaches the method of claim 1 wherein the first and second account based services relate to a general credit application(Abstract). It would have been obvious to one skilled in the art at the time of the invention to apply these techniques to a telecommunications account.The motivation for this is to utilize these efficient techniques to telephone credit cards.

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Claim Rejections - 35 USC § 112

25. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

26. Claims 8-9 and 20-21 are rejected under 35 USC 112(2nd) for failure to state by the applicant in specific detail what the invention is.

Response to Arguments

27. Applicant's arguments filed 4/23/02 have been fully considered but they are not persuasive. Claims 8-9 do not delineate how the use of qualifications is employed specifically to develop the baseline offer, ie. what methodology or technique is employed to derive the offer. Claim 9 addresses not providing the baseline offer dependent on the qualification which is apart from claim 8. These claims are ambiguous and should be resolved and made more specific. Similarly claims 20-21 should specifically address the order of preference signals and their direct relationship with defined features, the manner of adjustment of a first modified offer to derive the second modified offer and the iterative mechanism employed to form the account based services.

DeFrancesco teaches making a funding decision on review of application data(Fig 1B). DeFrancesco further provides that the outcome of this funding decision can indeed provide baseline offers from funding sources(Fig 1B/146/153/154/151/152). DeFrancesco teaches providing a list of available features for various credit application types(col 10 lines 38-col 11 line 56). DeFrancesco teaches options that can be used to adjust the first modified offer to form a

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second modified offer(col 12 line 63-col 13 line 18)(col 13 line 58-col 14 line 3).Claims 1-7,18,19 are not allowable; therefore claims 10-13 are not allowable based on the assumed allowability of these claims.

Conclusion

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

GRA/May 14,2002


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